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November 7, 2023

Hon. Gabriel W. Gorenstein, U.S.M.J.
United States District Court Southern District of New York
500 Pearl Street
New York, NY 10007-1312
VIA ECF

MEMORANDUM ENDORSED

Re: Rosario et al v. 2022 Eastchester LLC et al.
Docket No.: 20-cv-09182 (SHS)(GWG)

Dear Judge Gorenstein,

I represent Plaintiffs in this matter. For the reasons that follow, I am writing to request an adjournment of the settlement conference from Monday, November 13 to November 17 in the afternoon or to any date set forth below. The defense counsel joins in this request. This is the first request of this kind and there is no prejudice to any party.

The reason for this request is that one of the Plaintiffs is unable to attend the November 13 conference at 10:00AM because she just got a new job and could only come to the court after work at 1:00PM. I inquired with Your Honor's chambers and was advised that Your Honor is otherwise engaged that afternoon. While discussing alternative dates with the defense counsel, I learned that he also could not make the November 13 conference. I note that I will be out of the country from November 24 through December 10, 2023.

For the foregoing reasons, the parties respectfully request that Your Honor reschedule the settlement conference for Friday, November 17, 2023 at any time after 1:00PM. If this date is not acceptable, the parties propose an afternoon conference on December 12, 14 or 15, or on any other date after December 15 agreeable to Your Honor.

Respectfully submitted,

/s/ Robert Wisniewski
Robert Wisniewski

cc: (via ECF)
Steven Biolsi, Esq.
Counsel for Defendants

Counsel has not complied with the Court's order (Docket # 107) as to the procedure for seeking an adjournment. Be that as it may, the Court notes that it is not available on the afternoon of November 17, 2023. The Court is available on the requested date of December 12, 2023. The Court is surprised, however, that either November 17 or December 12 would be an acceptable adjourn date given that defendants have a brief due on November 17, 2023 and plaintiff's reply is due on November 24, 2023 (Docket # 98). (The Court has availability on multiple dates before November 17, 2023, though this seems not to be desired).

In any event, the Court will accede to parties' request. The settlement conference is adjourned to December 12, 2023, at 2:30 p.m. Submissions are due December 6, 2023. Counsel are directed to carefully read the entirety of Docket # 107. If counsel seek to change the December 12 date (whether be advancing or adjourning), they must comply with Docket # 107.

So Ordered.



GABRIEL W. CORENSTEIN
United States Magistrate Judge

November 8, 2023